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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,425	03/09/2001	Dean Rhoades	05309P001X	7222

8791 7590 08/13/2008  
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP  
1279 OAKMEAD PARKWAY  
SUNNYVALE, CA 94085-4040

EXAMINER
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CHOI, FRANK I

ART UNIT	PAPER NUMBER
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1616

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08/13/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09802425	3/9/01	RHOADES, DEAN	05309P001X

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**EXAMINER**

FRANK I. CHOI

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**Commissioner for Patents**

The Information Disclosure Statement filed 8/6/2008 after a decision by the Board of Patent Appeals and interferences is not entered because prosecution is closed. As provided in 37 CFR 1.198, prosecution of the proceeding before the examiner will not be reopened or reconsidered by the examiner after a final decision of the Board except under the provisions of 37 CFR 1.114 (request for continued examination) or 37 CFR 41.50 without the written authority of the Director, and then only for the consideration of matters not already adjudicated, sufficient cause being shown. This is a second notice as the Applicant was previously notified on 6/5/2008 that an Information Disclosure Statement filed 5/16/2008 was not entered for the same reasons. As such, the appellant is given ONE MONTH from the mailing date of this communication to file a petition to the Director or proceed under 37 CFR 1.114 or 37 CFR 41.50, pursuant to 37 CFR 1.198, in order to reopen prosecution. NO EXTENSION OF TIME WILL BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b) to comply with this requirement

A facsimile center has been established in Technology Center 1600. The hours of operation are Monday through Friday, 8:45 AM to 4:45 PM. The telecopier number for accessing the facsimile machine is 571-273-8300.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Choi whose telephone number is (571)272-0610. Examiner maintains a compressed schedule and may be reached Monday, Tuesday, Thursday, Friday, 6:00 am – 4:30 pm (EST).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Johann R. Richter, can be reached at (571)272-0646. Additionally, Technology Center 1600's Receptionist and Customer Service can be reached at (571) 272-1600. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frank Choi  
Patent Examiner  
Technology Center 1600  
August 11, 2008

/Johann R. Richter/  
Supervisory Patent Examiner, Art Unit 1616

8/11/08